

EX PARTE OR LATE FILED

From: Elmer Croan
To: Mike Powell
Date: Thu, Jan 2, 2003 6:44 PM
Subject: Regulation of Wireline or RBOC carriers

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JAN 21 2002

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Mr Powell

I have recently read the website from Hiedi Neal called "momsavesjobs.org" and I just got to tell you not everyone agrees with this lady. In fact anyone who really understands the issues doesn't agree.

I find myself somewhat apprehensive writing to you since I find myself somewhat in doubt of your qualifications, however that being said. I must still appeal to you to do the right thing when it comes to the UNE-P and more importantly not releasing the RBOC's from the telecommunications act of 1996.

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The failure of DSL to foster competition clearly shows where their hearts are. The RBOC's don't want competition of any kind. They will be very happy with your giving them everything they desire. I fail to see from your track record so far that you really plan on doing anything at all when it comes to regulation, in fact you have become the "Poster Child" for "Deregulation" <grin>

I am sorry if this seems insulting it just seems to be the truth from the perspective of a twenty five year veteran of telecommunications. I don't know what your background is and what makes you qualified for the position you have other than your last name !!!

I fail to see your leadership in policing the RBOC's and making them follow the laws of our country. I see from the Fortune magazine interview a few years back that Mr Whitacre at SBC is proud to be a monopolist. I remember when the AT&T monopoly was broken up by the federal government, now you would have the federal government give SBC anything they want in the form of monopolistic practices.

I understand the republicans have always been PRO Big Business however there is more at stake here than that. The freedom of choice of many americans, as well as the equal access to services is really the issue. If you don't understand this I clearly am wasting my time.

The cancellation of Project Pronto should be something SBC has to be accountable to the federal government since Broadband Internet is not going to reach nearly as many homes since SBC has canceled Project Pronto in favor of a different technology that they only plan on offering to "greenfield" or new housing areas (read \$\$\$ Homes and not existing customers and rural america) The only hope we have if for congress to address this in several pending bills, however we will again depend on your agencies enforcement of the rules, something I doubt you will do.

I am not expecting a reply from you since I doubt Mr Whitacre or Achkerman will give you permission to write me since I am but one of the little people in this country, someone who is not important to the current administration.

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List A B C D E

Please feel free to pass my email address onto anybody at the RBOC's you work for. I would like to know what they have in store for us in the terms of new services. I doubt anything new will happen without competition. I will reference you to the dismal implementation of ISDN in this country compared to Europe. The reason was the attitudes at SBC which back in the 1980's was if I remember right from a meeting I was at with SBC they made a joke of it by saying things like.

SBC Person : Hey what does ISDN for ?

Nortel Person " Gives complete explanation Integrated Service Digital Network.

SBC Person : Nope it stands for Innovation Subscriber Doesn't Need < Ha Ha Ha >

This is an actual conversation that shows how they felt at SBC. This is the same SBC that when dialup BBS took off well before the Internet tried to tack on an Data Tax in the form of dialing a number and if a computer modem or Fax machine answered they were going to change the order on the line from residential to Business. Needless to say we here in the Texas computer clubs who were operating these BBS strictly Non-Profit wrote to our government in protest and this unlawful tax was overturned. The same SBC is again trying this in Oklahoma as I am writing this. They signed up my father on an unlimited local calling plan and now they are going to change the rules since he is sometimes using this plan to call his ISP since there are none local to his rural area he must call another city that is local to this additional \$30.00 a month plan. The average cost of a single line phone with this optional plan on it is \$50.00 a month in rural america or about what it is here in Dallas TX. They (SBC) are not happy since they are not making the profits they expected since they didn't expect people in rural america to use the phone as much as here in the metroplex. SBC is someone you need to watch more closely and regulate more , not less!

I again mention your desire to deregulate since I saw your interview on a national newshow where you talked about Broadband Wireless where you favor no regulations since the Ultra Wideband Wireless will allow many people to share the same bandwidth without consideration of interference. The comment you made was corrected by the host if you need help pinpointing the interview.

Powell : I expect many great things from this technology in my lifetime

Host : I expect it to be before your life time. I expect sooner.

Back to the UWB it will be very hard to implement in a fashion that doesn't interfere with Public Service as well as existing services that are not CDMA or Spread Spectrum based. Doubt my qualifications on this matter then look up my name with the US Navy and you will see I served with the Defense Communications Agency in the mid 70's and I was trained on Spread Spectrum equipment that was part of a Top Secret backbone that was in operation for several years before this. The things that has been learned by CDMA operator will indeed also call for continued operation in a "non-shared" spectrum. I am however getting off the subject of the wireline regulation you need to focus on. I would enjoy talking about the wireless issues more in the future however at this time I am interested in the wireline and UNE-P and DSL and Broadband Access for rural america.

By The Way I am unemployed and as such have no bias affecting my opinions. My last job I worked for a supplier to the RBOC's for DSL and understand these issues and I am now free from a conflict of interest and can discuss SBC without fear of losing my job. (too late I already have)

EGC

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